

# brownrudnick

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August 17, 2021

## **BY ECF**

The Honorable J. Paul Oetken  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

**RE: *In re Search Warrant dated April 28, 2021, 21 Mag. 4591***

Dear Judge Oetken:

Since the outset of this process, and as your Honor is aware, we have neither objected to, nor argued that a Special Master is not appropriate under the facts and circumstances of this matter to review the materials seized pursuant to the above-captioned overt search warrant. However, after consultation with our client, as well as consultation with one of Ms. Toensing's former clients—Mr. Dmitry Firtash and Mr. Firtash's attorney, Dan Webb of Winston & Strawn LLP, Ms. Toensing understands Mr. Webb intends to handle the privilege assertions on behalf of Mr. Firtash in his capacity as his current counsel and Ms. Toensing, who no longer represents Mr. Firtash, will not actively participate in that process. We are aware that Mr. Webb has already initiated this effort through his letter to Judge Jones.

Upon reaching this decision, and in an effort to keep all stakeholders informed, on July 28, 2021 and again on August 12, 2021 during telephone conversations with Government counsel, we personally notified the Government of our intent to not participate in the review process. On August 4, 2021, during a video-conference call, and again on August 10, 2021, we notified the Special Master of the same.

At the Special Master's request and to ensure full transparency with this Court, we are writing to inform your Honor of our client's wishes, and indeed our intent moving forward with the review process.

Respectfully submitted,

**BROWN RUDNICK LLP**



Michael J. Bowe  
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Cc: Honorable Barbara Jones (Retired), Special Master (Bracewell LLP)  
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